

**ASSEMBLY BILL**

**No. 1296**

**Introduced by Assembly Member Berg**

February 21, 2003

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An act to amend Section 8510 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1296, as introduced, Berg. Fish: krill.

(1) Existing law prohibits the taking or landing of krill of any species of euphausiid for commercial purposes before January 1, 2011, and after that date only pursuant to regulation.

This bill would instead prohibit the taking or landing of krill of any species of euphausiid for any purpose except scientific research pursuant to regulations adopted by the commission, in the waters of this state and up to 200 miles offshore, as long as federal law does not regulate the taking of krill.

Under existing law, a violation of the Fish and Game Code is a crime.

Because the bill would change the definition of a crime, the bill would impose a state-mandated local program.

(2) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the Department of Fish and Game to pay all necessary expenses incurred in carrying out the Fish and Game Code, and to the Fish and Game Commission to pay the compensation and expenses of the commissioners and employees of the commission.

By imposing new duties on the commission, the bill would make an appropriation.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8510 of the Fish and Game Code is  
2 amended to read:

3 8510. ~~(a)~~—It is unlawful to take or land krill of any species of  
4 euphausiid for ~~commercial purposes except under any purpose~~  
5 *except scientific research pursuant to regulations adopted by the*  
6 *commission. This section applies to krill in the waters of this state*  
7 *and up to 200 miles offshore, as long as federal law does not*  
8 *regulate the taking of krill.*

9 ~~(b) Notwithstanding subdivision (a), krill of any species of~~  
10 ~~euphausiid shall not be taken or landed for commercial purposes~~  
11 ~~before January 1, 2011.~~

12 SEC. 2. No reimbursement is required by this act pursuant to  
13 Section 6 of Article XIII B of the California Constitution because  
14 the only costs that may be incurred by a local agency or school  
15 district will be incurred because this act creates a new crime or  
16 infraction, eliminates a crime or infraction, or changes the penalty  
17 for a crime or infraction, within the meaning of Section 17556 of  
18 the Government Code, or changes the definition of a crime within  
19 the meaning of Section 6 of Article XIII B of the California  
20 Constitution.

